

POLICY NAME

Food Trucks on Council Land in the Penrith City Centre Policy

POLICY NUMBER

PM 003

DATE ADOPTED

27 March 2017

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POLICY TYPE

Council

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June 2020

RESPONSIBLE DEPARTMENT

Place Management

RELATED DOCUMENTS

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Purpose

Penrith City Council supports the operation of Mobile Food Vending Vehicles (MFVVs) often referred to as “food trucks” on Council owned land in the Penrith City Centre other than public streets. The operation of food trucks supports the initiatives of Council’s Penrith Night Time Economy Strategy by increasing night time activity through diversifying the takeaway food offer.

The purpose of this Policy is to provide the framework for the operation of MFVVs within the Penrith City Centre.

Policy Statement

The Policy aims to:

- a) Ensure the MFVVs operate in accordance with the rules and restrictions within Council owned land in the Penrith City Centre.
- b) Ensure MFVVs operate in accordance with their approval in public places.
- c) Provide guidance and assistance for people wanting to operate MFVVs within the Penrith City Centre.
- d) Minimise any potential adverse impacts of MFVVs.
- e) Ensure the safe operation of MFVVs for staff and patrons.
- f) Ensure that trading does not place the public at risk.
- g) Ensure that the operation of MFVVs does not increase litter or waste around the trading location.
- h) Ensure that the operation of MFVVs do not adversely impact on any of the surrounding sensitive land uses, and in particular residential amenity.
- i) Ensure that trading improves the mix and diversity of takeaway food available.

Scope

The Policy applies to Council owned land within the Penrith City Centre as defined by the land outlined in Appendix 1 of the Policy.



FOOD TRUCKS ON COUNCIL LAND IN THE PENRITH CITY CENTRE POLICY

**Adopted
27 March 2017**

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FOOD TRUCKS ON COUNCIL LAND IN THE PENRITH CITY CENTRE POLICY

PRELIMINARY

1. TITLE

This Policy (“the Policy”) is called the Food Trucks on Council Land in the Penrith City Centre Policy.

2. PURPOSE

Penrith City Council supports the operation of Mobile Food Vending Vehicles (MFVVs) often referred to as “food trucks” on Council owned land in the Penrith City Centre other than public streets. The operation of food trucks supports the initiatives of Council’s Penrith Night Time Economy Strategy by increasing night time activity through diversifying the takeaway food offer.

The purpose of this Policy is to provide the framework for the operation of MFVVs within the Penrith City Centre.

Part 1 specifies any exemptions from this Policy;

Part 2 specifies the criteria which Council must consider when determining whether or not to grant an approval; and

Addendum provides guidelines for the fit-out and safe operation of MFVV’s in accordance with contemporary health requirements and healthy food promotion. The Addendum is for information purposes only and is not part of the Policy.

3. OBJECTIVES

The Policy aims to:

- (a) Ensure the MFVVs operate in accordance with the rules and restrictions within Council owned land in the Penrith City Centre.
- (b) Ensure MFVVs operate in accordance with their approval in public places.
- (c) Provide guidance and assistance for people wanting to operate MFVVs within the Penrith City Centre.
- (d) Minimise any potential adverse impacts of MFVVs.
- (e) Ensure the safe operation of MFVVs for staff and patrons.
- (f) Ensure that trading does not place the public at risk.

- (g) Ensure that the operation of MFVVs does not increase litter or waste around the trading location.
- (h) Ensure that the operation of MFVVs do not adversely impact on any of the surrounding sensitive land uses, and in particular residential amenity.
- (i) Ensure that trading improves the mix and diversity of takeaway food available.

4. COMMENCEMENT DATE

The Policy was adopted by Council on 27 March 2017 and will come into operation on 27 March 2017.

5. SCOPE

- (a) The Policy applies to Council owned land within the Penrith City Centre as defined by the land outlined in Appendix 1.
- (b) The Policy does not apply to MFVVs:
 - Trading on Council owned roads
 - Trading in accordance with a development consent on private land
 - Trading on public land in accordance with an approved event
 - Trading on private land in accordance with Subdivision 27A of State Environmental Planning Policy- Exemption and Complying Development
 - Providing catering services to private events
 - Not operating as a food business

6. DEFINITIONS

- (a) A MFVV is any road registered vehicle used on land that is self-driven, or that can be towed down Council-owned roads and that is used in connection with the sale of food.
- (b) MFVVs are used for on-site food preparation (e.g. hamburgers and kebabs) and one step food preparation (e.g. coffee) and the sale of any type of food, including pre-packaged food.
- (c) All MFVVs require an approval under Section 68 of the Local Government Act 1993 from Penrith City Council.
- (d) The criteria for approval to be used in the assessment of a MFVV will include all of the relevant provisions contained in the approved standards set out in Part 1 and 2 of this Policy.

7. NOTES AND ADDENDUM

The notes in text boxes are explanatory notes and do not form part of the Policy. They are provided to assist with the understanding of this Policy.

The addendum contains guidelines for Council's food health and safety requirements for the design and operation of MFVVs and do not form part of the Policy.

They are provided to assist operators to prepare an application and are subject to change over time. The latest food health and safety requirements should be obtained from Council prior to submitting an application.

PART 1: COUNCIL APPROVAL REQUIREMENTS

Council must consider the criteria as outlined in this Policy when determining applications for Mobile Food Vending approvals to operate within the Penrith City Centre.

8. SECTION 68 APPROVALS

- (a) The Policy applies to approvals for an activity subject to Section 68 of the Local Government Act 1993¹.

¹**Note:** s.68 part F7 requires Council approval for a street trader to: “Use a standing vehicle for the purpose of any article in a public place”.

- (b) For the purposes of this Policy a “standing vehicle” includes a Mobile Food Vending Vehicle that has stopped to make a sale.
- (c) The operation of a MFVV, or the selling of food from a mobile vehicle on Council owned land in the Penrith City Centre without prior approval is an offence under the Local Government Act 1993.
- (d) Approvals issued to MFVVs will include conditions of operation that shall be complied with at all times.
- (e) Council will charge a fee² for the approval of a MFVV in accordance with its Schedule of Fees and Charges document

² **Note:** the approval fee includes an inspection prior to the issue of the approval or renewal of the approval. Additional inspections during the period of the approval are charged as outlined in the Schedule of Fees and Charges Document on Council’s website <https://www.penrithcity.nsw.gov.au/>

- (f) Approval shall take effect from the date stated thereon and shall expire 12 months after the date of the approval or a lesser period of time.
- (g) An approval issued by Council shall be attached to the external wall of the subject MFVV in a prominent location for viewing by Council officers.

9. FEES

- (a) A fee applies for the assessment of an application for a new approval or a renewal of an approval to operate a MFVV. The fee covers the initial inspection of the vehicle, which is required prior to commencing trade.
- (b) The application fee is payable at the time the application is made. Applications not accompanied by a fee will not be processed and may be refused after 5 days if payment is not made
- (c) Incomplete applications may also be rejected if additional information is not supplied within 5 days of request
- (d) Council will not issue a refund of any fees paid if the business is sold or transferred after 8 months of approval. Fees will be refunded on a pro rata basis if the business is sold or transferred in the first 8 months of approval.

Note: A separate approval and a separate fee is required for each vehicle application. Fees are outlined in Council's Schedule of Fees and Charges.

10. VEHICLE INSPECTIONS

- (a) All MFVV operators must have their vehicle inspected for food safety requirements prior to issue of an approval, or from time to time as requested by Council.
- (b) Random inspection of MFVVs may be conducted by Council officers during trading locations and times, and any associated fees and charges will be charged to the business in accordance with Council's Schedule of Fees and Charges.

11. APPROVAL LIMITS

- (a) Approvals issued by Council on a per vehicle basis.
- (b) Any modifications to the vehicle or business including; major changes to the food menu, or food items sold, or changes to the design of the vehicle requires prior approval of Council.
- (c) Any change of address of the commercial kitchen supporting Food Trucks shall be notified to Council.
- (d) Approvals are specific to each MFVV and they are not transferrable between vehicles.
- (e) No ownership transfer of a Council approval (under s.68) is permitted.
- (f) Approvals will be issued subject to conditions including, but not limited to, compliance with this Policy
- (g) Failure to adhere to any condition of approval and/or legislative requirement may result in modifications, suspension or revocation of the approval, in addition to prosecution to the issue of fines.
- (h) Operators must notify Council of their intention to trade at an approved location prior to the commencement of each trading period.

12. LOCATIONS

- (a) MFVVs may trade on Council owned sites, such as parks and car parks within the Penrith City Centre, as specified in a Section 68 approval.
- (b) A site shall be occupied by the MFVV for no more than 6 hours for each trading period.

13. PROHIBITED ROADS STREETS AND LAND

- (a) MFVVs must not trade on roads within the Penrith City Centre operation area defined in Appendix 1.

- (b) MFVVs are not permitted to trade on any land without prior consent from the landowner.

14. TRUCK DIMENSIONS

The dimensions of a MFVVs must not exceed the length of 11 m and be no wider than 2.5 m.

15. DELIVERIES

MFVVs must arrive fully equipped at the approved trading site and are not permitted to receive deliveries to restock items for sale.

16. HOURS OF OPERATION

- (a) The use of Council owned land for the purpose of operation MFVVs is restricted to the following times:
- 6pm - 10pm Sunday to Wednesday
 - 7pm – 10pm Thursday
 - 6pm - 11 pm Friday to Saturday
- (b) An authorised officer may require the vehicle to move at an approved site for any reason.
- (c) An authorised officer may request a MFVV to move from an approved location during, before, or after the hours of operation specified in clause 14(a) above.

17. PROXIMITY TO EXISTING PREMISES

- (a) No MFVV is to trade within 50m of an existing trading takeaway food or drink premises open for business that is serving the same or similar food types. This minimum distance requirement is primarily measured in a straight line from the closest point of the MFVV location to the main entrance of the takeaway food and drink premises.
- (b) For the purposes of this Policy, existing takeaway food and drink premises includes only the types of takeaway food and drink premises that are used predominantly for the preparation and retail sale food or drink (or both) for immediate consumption away from the premises.

18. PROXIMITY TO RESIDENTIAL BUILDINGS

MFVVs may not trade directly in front of any residential building (house or apartment) or buildings that contain residential premises (mixed use sites) on the same side of the road as the building frontage.

19. LIQUOR LICENCING

No MFVV is permitted to sell alcohol to the public regardless of whether it has a liquor licence, or not.

PART 2: OTHER CRITERIA REQUIREMENTS

20. MAINTENANCE OF THE VEHICLE

An MFVV must be kept clean and in a good state of repair and working order. Road worthiness shall be maintained and excessive noise, fumes, smoke, foul odours and other contaminants shall not be generated.

21. CUSTOMER SEATING

The placement of tables, chairs or other seating apparatus, is not permitted at any time.

22. WASTE MANAGEMENT AND RECYCLING

- (a) MFVV operators are responsible for the waste materials generated during their trading period. Waste material such as food packaging should be collected in bins or suitable receptacles, separated into recyclable or non-recyclables, bagged or contained, stored within the vehicle and disposed of at the cost of the operator.
- (b) Any waste produced by the MFVVs must be removed from the site by the MFVV operators at the end of the trading period.
- (c) The trading area must be left in a clean and tidy condition at the end of each trading period.
- (d) Details of liquid waste and garbage disposal arrangements must be supplied with the application for the MFVV.

23. SIGNAGE

An approval under this Policy does not imply any approval for the erection or display of any sign or sign structure not directly attached to the MFVV.

24. LIGHTING

- (a) Lighting from MFVVs shall not interrupt or distract traffic flows or be unreasonably observable from surrounding residential areas.
- (b) At no time is the intensity, period of intermittency and hours of illumination to cause objectionable glare or injury to the amenity of the precinct. If, in the opinion of an authorised Council officer, objectionable glare or injury is likely to be caused, the intensity, period of intermittency and hours of illumination must be varied to the approval of Council.
- (c) The use of flashing lights or signs is only permitted in accordance with the road regulations.

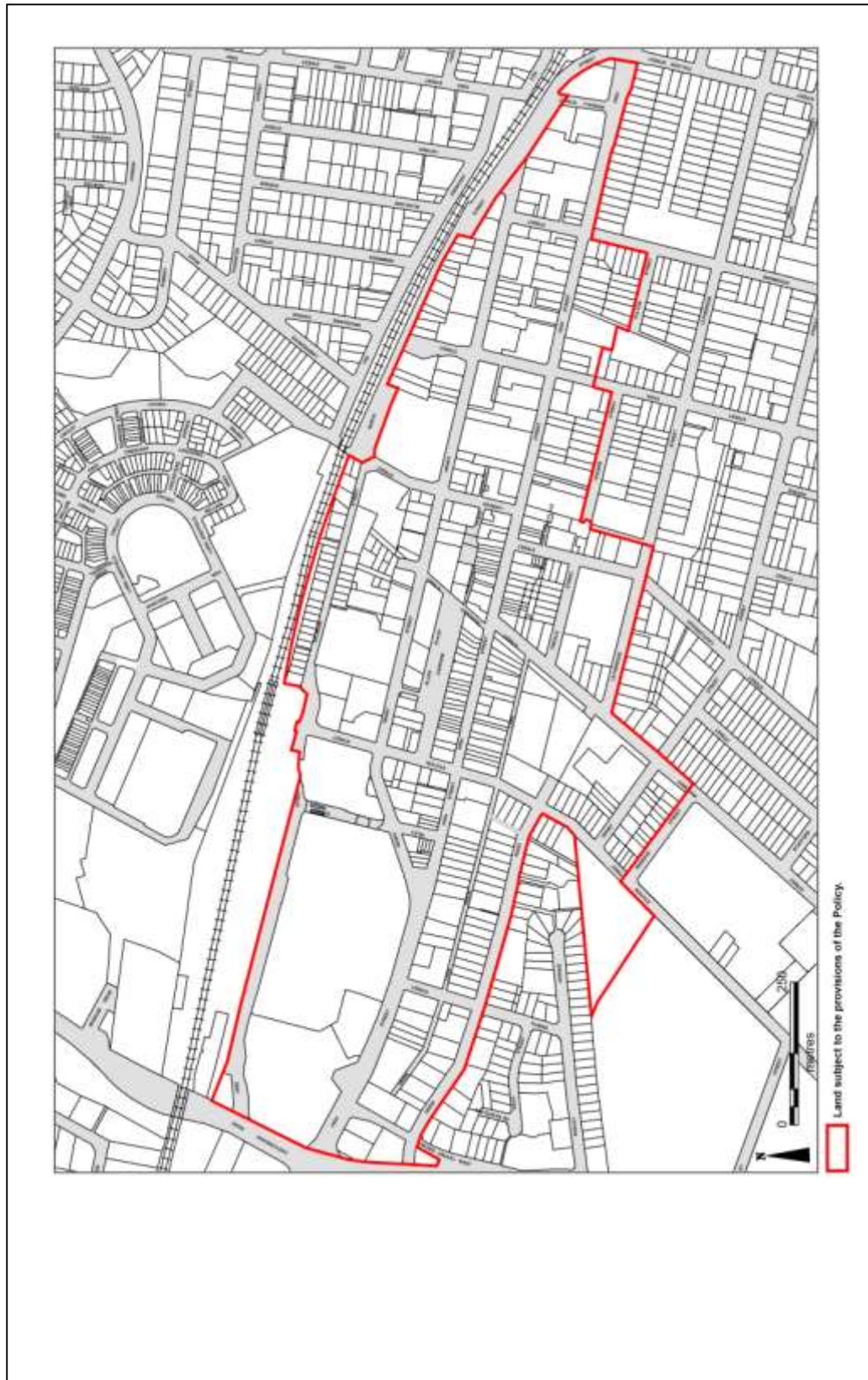
25. NOISE

- (a) The emission of noise associated with the use of the vehicle, including the operation of any mechanical plant and equipment, must comply with the following criteria:
 - (i) The use of the vehicle and any associated equipment must be controlled so that any emitted noise is at a level so as not to create an “offensive noise” as defined in the *Protection of the Environment Operations Act 1997* (POEO) to any affected receiver.
 - (ii) If any noise complaints are received and substantiated by an authorised Council officer, the Council officer may direct that the use of the MFVV must be suspended or moderated to prevent nuisance or until attenuation measures are completed and Council has confirmed in writing that the use may resume.
- (b) Any noise emission from the vehicle (including music or amplified noise) must not affect the amenity of the surrounding area or adjacent noise sensitive receivers by creating noise that is considered ‘offensive’ by an authorised Council officer, or police officer, in accordance with the POEO definition.
- (c) A MFVV must not emit any noise that an authorised Council officer believes to be unreasonable in a public place or impact on a noise sensitive receiver.
- (d) An authorised officer may require the vehicle to relocate nearby or request it to leave an area to mitigate or resolve a noise problem.

26. PENALTIES APPLICABLE

- (a) The penalties for failure to obtain an approval or failure to comply with an approval for a MFVV are set out in the *Local Government Act 1993* and the *Local Government (General) Regulations 2005*. Council reserves the right to decide the legal remedy for breaches of this Policy.
- (b) City Rangers or other authorised officers may take enforcement action to non-compliance with this Policy and all related legislation.

APPENDIX 1: PENRITH CITY CENTRE OPERATION MAP



APPENDIX 2: DEFINITIONS

The terms used within this Policy for Mobile Food Vending Vehicles are defined in the Dictionary in the Local Government Act 1993.

The purpose of this Dictionary is to assist with the understanding of terms used throughout this Policy and to assist with the preparation of an application for approval.

“Approval” means an approval issued by Penrith City Council under the *Local Government Act 1993*.

"authorised person" means:

- (a) an employee of a council generally or specially authorised by the council in respect of or whose duty it is to deal with, or to act in regard to, any acts, matters or things in relation to which the expression is used, or
- (b) a police officer.

“MFVV” means:

Mobile Food Vending Vehicle

"public place" means:

- (a) a public reserve, public bathing reserve, public baths or public swimming pool, or
- (b) a public road, public bridge, public wharf or public road-ferry, or
- (c) a Crown reserve comprising land reserved for future public requirements, or
- (d) public land or Crown land that is not:
 - (i) a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c)), or
 - (ii) a common, or
 - (iii) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or
 - (iv) land that has been sold or leased or lawfully contracted to be sold or leased, or
 - (v) land that is declared by the regulations to be a public place for the purposes of this definition.

"road" includes:

- (a) highway, street, lane, pathway, footpath, cycleway, thoroughfare, bridge, culvert, causeway, road-ferry, ford, crossing, by-pass and trackway, whether temporary or permanent, and
- (b) any part of a road and any part of any thing referred to in paragraph (a), and
- (c) any thing forming part of a road or any thing forming part of any thing referred to in paragraph (a).

"waste" means:

(a) effluent, being any matter or thing, whether solid or liquid or a combination of solids and liquids, which is of a kind that may be removed from a human waste storage facility, sullage pit or grease trap, or from any holding tank or other container forming part of or used in connection with a human waste storage facility, sullage pit or grease trap, or

(b) trade waste, being any matter or thing, whether solid, gaseous or liquid or a combination of solids, gases and liquids (or any of them), which is of a kind that comprises refuse from any industrial, chemical, trade or business process or operation, including any building or demolition work, or

(c) garbage, being all refuse other than trade waste and effluent, and

(d) includes any other substance defined as waste for the purposes of the [Protection of the Environment Operations Act 1997](#), and a substance is not precluded from being waste merely because it is capable of being refined or recycled.

ADDENDUM

(Not part of Policy. For information only)

HEALTH GUIDELINES FOOD TRUCK DESIGN AND OPERATION

Part One - Introduction

General

This Addendum provides information on Council's food health and safety requirements for the operation of Food Trucks on Council land in the Penrith City Centre. The information is provided for guidance only and does not form part of the Food Trucks on Council Land in the Penrith City Centre Policy. The Environmental Health and Compliance Department should be contacted for the latest Council and NSW State Government requirements for the design, construction and safe operation of Food Trucks.

Making an Application

Council approval is required for a food truck to operate in a public place. A written application must be made to Council to obtain an approval to operate for up to 6 months. A prescribed fee must be paid with the lodgement of the application.

Additional information on applications for approval and the conditions of approvals can be found in the Food Trucks on Council Land Policy in the Penrith City Centre.

Pre-Application

Potential food truck operators are encouraged to arrange a pre application meeting with officers of the Environmental Health and Compliance Department to discuss their proposal before committing funds to their venture. Council's officers will advise proponents of Council's requirements and answer questions that they may have. Please contact the Environmental Health and Compliance Department by emailing foodsafety@penrithcity.nsw.gov.au to make an enquiry or an appointment.

Plan of Management

A Plan of Management will be required to be submitted with the application that describes the how the food business will be set up and operated. The plan may have to be modified as the nature of the proposal evolves and it will form part of the approval conditions for operation.

The Plan of Management should include, but not be limited to the following:

- Food processes and/or preparation.
- Noise sources and measures taken to reduce the noise from plant equipment i.e. generators.
- Details on how to manage complaints regarding noise.
- Controls to manage litter around the site.
- Details for disposal of waste (both liquid and solid).
- Details of the waste contractor.
- Details of the ventilation system installed including Certification details (AS 1668 1 & 2).
- Details on how odours are to be managed.

- Location of where the potable water will be sourced.
- Capacity of potable water storage tanks and waste water tanks.
- How the potable water storage tank is cleaned and frequency.
- Cleaning schedules.
- Pest control schedules.
- Method of temperature control for potentially hazardous foods.
- Nominated commercial kitchen support facility.

Part Two – Design and Operation of Food Trucks

The design, construction and fit-out of the food truck is critical to ensure the safety of food being produced and sold from the vehicle.

Consideration should be given to the design, construction and fit-out of the food truck at the beginning of the concept. It is imperative that the process of the production should be thought about in detail at this point. The flow of the production line should be one way that is from preparation to serving to washing up. These stages should not cross over.

Below is information on what Council requires in relation to the design, construction and fit-out of a food truck.

1. Food Truck and Equipment

The overarching requirements for the design, fit-out and construction of the food truck can be found in the following documents:

- Australian & New Zealand Food Standards 3.2.3
- AS4674 – *Design, construction and fit-out of food premises*
- AS1668 part 2 – *The use of ventilation and air conditioning systems in buildings*
- Any conditions of approval which are specific to each food truck.
- NSW Food Authority Guidelines for Mobile Food Vending Vehicles September 2015.

Without limiting the above, the following general requirements for the design, fit-out and operation of a food truck is as follows:

a) General requirements

- Be appropriate for the types of food produced and activities conducted.
- Provide adequate space for all activities and for all equipment to be used or stored.
- Allow easy cleaning or sanitising procedures of all structures and equipment.
- Prevent the entry of pests, dust, fumes, smoke and other contaminants.
- The vehicle must be kept clean and in a good state of repair at all times.
- The vehicle must be road worthy at all times.

b) Minimum requirements

The layout and design of the food truck should be well planned and use a flow through approach from preparation to serving to cleaning that does not overlap and prevents the potential for cross contamination.

The food truck should have the following equipment/areas within the confines of the vehicle:

- Hand washing facilities.
- Wash up area (double bowl sink or single bowl sink and dishwasher).
- Food preparation sink (if required).
- Food preparation benches where required.
- Cooking facilities where required.
- Adequate food storage areas.
- Waste disposal areas and
- The driving compartment should be separated from the food storage, handling and serving compartment.

2. Garbage and Recyclable Material

- a) Garbage receptacles are to be provided in the food truck
 - The garbage receptacles are to be adequate in size for the trade being undertaken and waste generated.
 - The garbage receptacles are to have a lid that can be opened without using hands (e.g. foot operated).
- b) At sites where garbage receptacles are not provided by Council, a garbage receptacle is to be placed outside of the food truck for depositing of take away food containers and other litter.
- c) Waste generated from within the food truck is not to be disposed of in any public garbage bins. It is to be contained within the food truck and disposed of at the nominated commercial kitchen/residence.
- d) Receptacles for recycling are to be provided where recyclable material is being used.
- e) Food truck operators will be responsible for the waste materials generated during the trading period.
- f) All waste is to be removed from the site at the end of trade and the area is to be left in a neat and tidy condition.
- g) Liquid waste is not to be discharged onto the ground into the stormwater system.
- h) Where possible, the use of single use cutlery, plates, packaging etc. that is biodegradable or recyclable is encouraged.

3. Water Supply

- a) The food truck must be provided with an adequate supply of potable water stored in food grade water storage containers and suitably protected against contamination for hand washing, cleaning equipment and for use of food preparation. There must also be an adequate supply of hot water for these purposes. Details of the supply of potable water and the cleaning process used for the storage tanks must be included in the Plan of Management.
- b) The food truck must be equipped with a waste water tank of sufficient capacity to contain all stored potable water with extra capacity for the containment of other discarded liquid waste, with an outlet of sufficient diameter to facilitate easy flushing and cleaning.
- c) Details of the disposal and cleaning process used for the waste water storage tanks must be included in the Plan of Management.
- d) Disposal of all liquid wastes generated within the food truck must be through the sewer or as approved by the Environmental Health Officer. The disposal method and location is to be included in the Plan of Management.
- e) Warm running water must be supplied to all sinks/basins within the food truck.

4. Construction and Fit-out

This section details the minimum construction and fit-out requirements for food trucks.

Floors

- a) Floors are to be constructed of materials which are impervious and durable.
- b) The intersections of walls to floors should be without corners (coved), tight jointed, sealed and dust proof.
- c) Floors should be graded to the doorsill or, alternatively, a floor waste with a screwed removable plug is to be provided.

Walls

- a) Walls are to be provided where they are necessary to protect food from contamination.
- b) Walls must be finished with materials suitable for activities conducted in the food truck and be easy to clean. Light coloured, high gloss, impervious surfaces are recommended.
- c) Suitable wall materials in food preparation areas are stainless steel, aluminium sheeting, acrylic or laminated plastic sheeting or polyvinyl sheeting with welded seams.
- d) Architraves, skirting boards, picture rails or similar protrusions should not be used on walls.
- e) Walls at the rear of cooking appliances should be surfaced with a material such as stainless steel, which extends from the canopy to the floor. Where a cooking appliance is sealed to the wall, the material should be lapped over the top edge of the appliance to provide a grease and vermin-proof seal. Cooking appliances should only be sealed to walls made of a non-combustible material.
- f) A splashback should be installed to a minimum height of 300 mm above any bench, sink or hand basin and should be constructed using an impervious waterproof material.

Ceilings

- a) Ceilings are to be provided where they are necessary to protect food from contamination.
- b) Ceilings must be finished with impervious materials suitable for activities conducted in the food truck, and be easy to clean. A light colour is recommended.
- c) Where applicable, the ceiling height should be adequate to effectively conduct food handling activities.
- d) Ceilings are to be free of open joints, cracks and crevices.
- e) The intersection of walls and ceilings should be tight jointed, sealed and dust proof.

Door & Serving Openings

- a) All openings are to be fitted with a door or shutter that can be sealed so that it prevents the entry of dust and pests. These should be locked closed during transport.
- b) Door and serving hatches are to be finished internally with the same standard of material as the internal walls.

Pipes, Conduits and Wiring

- a) Pipes, conduits and wiring should be concealed in or behind floors, walls and ceilings, or fixed on brackets providing at least 25 mm clearance between the pipe and adjacent surfaces, and 150 mm between the pipe or conduit and adjacent horizontal surfaces.

- b) Service pipes, conduits and wiring should not to be placed in the recessed space of plinths or equipment.

Equipment

- a) Equipment should be either built in with no cavities, or mounted on castors capable of being easily moved to facilitate cleaning.
- b) Cooking equipment should not be placed beneath windows, wall cupboards, serving openings, shelving or roof vents.
- c) Equipment must be maintained in good working order at all times.

Hand Washing Facilities

- a) A dedicated hand washing basin, separate from other facilities and used only for that purpose, must be provided.
- b) Warm water is needed for effective hand washing. Hot and cold water must be delivered through a single outlet to a dedicated hand basin via hands free operation.
- c) Liquid soap and single-use paper towels must be provided at, or near, the hand washing facility.
- d) To allow easy cleaning of hands and arms the basin should be installed at bench height, not under a bench. It must not be obstructed by other equipment and appropriately fixed to the wall.
- e) An additional dedicated sink is required for washing of reusable eating and drinking dinnerware and tableware.

Sinks

- a) A double bowl sink or single bowl sink and dishwasher is to be installed in the food truck and is to be of adequate size to cater for the cleaning of all equipment, work surfaces and any food service item.
- b) Sufficient water is to be provided at all times during set up, trade and set down. Sufficient water storage is to be considered during the design stage. This includes the provision of hot water.
- c) A separate and dedicated hand wash basin is to be provided in all vehicles.
 - i) The hand wash basin is to be of sufficient size to allow for thorough cleaning of hands and arms.
 - ii) It is to be located in a prominent position that is easily accessible to all food handlers. Under no circumstances are they to be placed under benches.
 - iii) A single spout mixer tap is to be provided to allow for warm water to be dispensed.
 - iv) Hands free tap required to the hand wash basin.
- d) A separate food preparation sink is also required in vehicles that undertake food preparation that require washing as part of the preparation process (e.g. salad items).

Ventilation

- a) Mechanical ventilation must comply with Australian Standards.
- b) Exhaust/ventilation is to be installed in vehicles where cooking is occurring.
- c) Mechanical ventilation/exhaust must effectively remove fumes, smoke, steam, heat and vapours.
- d) Filters are to be installed to prevent accumulation of grease in duct work. Enhanced filtration may be required if particularly odorous cooking is being undertaken (e.g. charcoal fuelled cooking).

Lighting

- a) Adequate lighting in accordance with Australian Standards is to be provided to ensure safe food handling.
- b) In areas where exposed food is handled or stored, light fittings should be shatter-proof or fitted with suitable light diffusers (covers) to prevent contamination of food by broken light globe/tube glass.
- c) Lighting must not interrupt or distract traffic flows.
- d) The design and placement must be so that lighting does not create a nuisance or negatively affect the amenity of the surrounding neighbourhood.
- e) Lighting must comply with AS4282-1997: Control of obtrusive effects of outdoor lighting.
- f) Flashing lights are not permitted.

5. Food Safety Supervisor

The FSS requirement applies to retail businesses who **process and sell food** (prepare and serve) that is:

- Ready-to-eat.
- Potentially hazardous (i.e. needs temperature control) and
- Not sold and served in the supplier's original package.

For a comprehensive list of food businesses that are exempt from this requirement, please visit the NSW Food Authority website – www.foodauthority.nsw.gov.au

Food businesses that require a FSS must ensure an FSS is appointed and the current FSS certificate is available in the vehicle before commencement of operation.

6. Animals and Pests

- a) Take all practicable measures to prevent pests (including birds, spiders and flying insects) from entering the food truck or coming into contact with any fixtures, equipment or parts of vehicles used to transport food.
- b) Animals are not permitted to enter a food truck at any time. 'Assistance animals' are permitted in all public dining and drinking areas. (Assistance animals are guide dogs that are trained to help people with disabilities.)
- c) It is recommended that a regular pest control program be used.

7. Electricity, gas supplies, fire extinguishers and work safety

- a) Food business operators should ensure there is sufficient supply of electricity for food handling operations, particularly hot and cold food holding and water heating.
- b) SafeWork NSW requires electrical appliances and leads to be tested at least annually and identification tags to be attached.
- c) All electrical work should be carried out by a licensed electrician and conform to Australian Standards.
- d) Gas should be installed by a licensed gasfitter and comply with the appropriate provisions of the Australian Standards.
- e) A current compliance plate must be fixed to the vehicle for new installations or for any changes made to the existing gas appliances.
- f) Gas-fired appliances used in the open should not have a gas bottle greater than 9 kg capacity and the bottle should be secured so that it cannot be tipped over. Gas bottles need to be pressure checked.
- g) A fire extinguisher and fire blanket should be supplied in every vehicle where cooking or heating processes are undertaken. Even if you are not responsible for starting a fire, you should be able to extinguish small fires.

- h) Fire safety equipment must be easily accessible in the event of a fire. The extinguisher should be suitable for dealing with the type of combustible materials present.
- i) Fire safety equipment must be tested annually and have current tagging in accordance with Australian Standards. Contact Fire and Rescue NSW for more information.
- j) All measures should be taken to satisfy required SafeWork NSW conditions to protect the health, safety and welfare of employees and patrons. Contact SafeWork NSW for more information.